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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/801,464	02/18/97	FUNAKOSHI	A <i>WC</i> CFO-11946-US

005514 QM12/0508
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NEW YORK NY 10112

EXAMINER

DEXTER, C

ART UNIT	PAPER NUMBER
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3724

DATE MAILED:

16
05/08/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/801,464

Applicant(s)

Funakoshi et al.

Examiner

Clark F. Dexter

Group Art Unit

3724



☒ Responsive to communication(s) filed on Jan 14, 2000

☐ This action is **FINAL**.

☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 2 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-34 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 1-34 is/are allowed.

☐ Claim(s) _____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☒ The proposed drawing correction, filed on Oct 6, 1999 is ☒ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 12

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

1. The amendment filed January 14, 2000 has been entered.

Information Disclosure Statement

2. The deficiency in the previously-filed information disclosure statement filed February 18, 1997 (paper #6) has been corrected, and thus the information disclosure statement filed October 6, 1999 (paper #12) has been received and the reference listed thereon has been considered.

Drawings

3. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on October 6, 1999 (paper #11) have been **approved**.

Specification

4. The disclosure is objected to because of the following informalities:

On page 16, line 8, "<2>" and "<1>" should be changed to --sensor portion (2)-- and --sensor portion (1)--, respectively, or the like for clarity; in line 14, "<2>" should be changed to --sensor portion (2)-- or the like for clarity; in line 15, "<3>" should be changed to --sensor portion (3)-- or the like for clarity; in line 24, it seems that "were" should read --are-- or the like.

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On page 17, line 1, “a precision” is unclear and it seems that a word is missing after “precision”; in lines 9 and 11, it seems that “was” should read --is-- or the like; in line 18, it seems that “similar to the” should read --similar to that-- or the like; in line 24, it seems that “was” should read --is-- or the like.

On page 19, lines 5 and 12, “<2>” should be changed to --sensor portion (2)-- or the like for clarity; in line 6, “<1>” should be changed to --sensor portion (1)-- or the like for clarity; in line 13, “<3>” should be changed to --sensor portion (3)-- or the like for clarity; in general, the use of two numerals (e.g., 1 and 106) to represent a common line is confusing and thus in line 18, it seems that “common line 1 (106)” should be changed to --first common line 106-- for clarity; in lines 19-20, it seems that “common line 1” should be changed to --first common line 106--; in lines 21-22, “common line 1 (106)” should be changed to --first common line 106--; in line 23, “next common line 2 (106)” should be changed to --second common line 106--; in line 24, “common line 2” should be changed to --second common line 106--; in line 25, “common line 1” should be changed to --first common line 106--; in line 26, “common line 2” should be changed to --second common line 106--.

On page 20, lines 1-2, “common line 2” should be changed to --second common line 106--; in line 5, “common line 3” should read --third common line 106--; in lines 7-8, “common line 3” should read --third common line 106--; in lines 9-10, “common line 1” should be changed to --first common line 106--; in lines 11 and 13-14, “common line 3” should read --third common line 106--; in line 15, “next common line 4” should read --fourth common line 106--; in lines 16

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and 18, "common line 4" should read --fourth common line 106--; in line 17, "common line 1" should be changed to --first common line 106--.

On page 22, line 9, it seems that "were" should read --are--.

On page 23, lines 12, 18 and 24, it seems that "was" should read --is--; in line 22, "it seems that "were" should read --are--.

On page 27, line 15, it seems that "like" should read --of--.

Appropriate correction is required.

Allowable Subject Matter

5. Claims 1-34 are allowable over the prior art of record.

Conclusion

6. This application is in condition for allowance except for the above-described formal matters.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark Dexter whose telephone number is (703) 308-1404.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Rinaldi Rada, can be reached at (703)308-2187.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)308-1148. The fax numbers for this group are: formal papers - (703)305-3579; informal/draft papers - (703)305-9835.

Communications via Internet e-mail regarding this application, other than those under 35 USC 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [rinaldi.rada@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 USC 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark Office on February 25, 1997 at 1195 OG 89.



Clark F. Dexter
Primary Examiner
Art Unit 3724

cfid
May 5, 2000